

BILL NO. S-71-12- 22

SPECIAL ORDINANCE NO. S- 04-72

AN ORDINANCE approving Agreement with MACKE DEVELOPMENT CORPORATION for construction of sanitary sewer for Fox Point Apartments area.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement approved December 20, 1971 between MACKE DEVELOPMENT CORPORATION, as Developer, and the CITY OF FORT WAYNE, by and through its Mayor and Board of Public Works, for the construction of a sanitary sewer to serve the Fox Point Apartments and others, as follows:

A 10 inch sanitary sewer 937 feet in length and an 8 inch sanitary sewer 620 feet in length along the East side of South Anthony Boulevard, Fort Wayne, in Adams Township, Allen County, Indiana, commencing at an existing manhole located approximately 160 feet South of the intersection of the centerline of South Anthony Boulevard and U. S. Highway #27, in the right of way at the Southeast corner of said streets; thence South along and in the East half of the right of way of South Anthony Boulevard a distance of 1,557 feet terminating at a proposed manhole,

the total cost of said sewer to be paid by Developer, all as more particularly set forth in said Sewer Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or

may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation by said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Nuckols seconded by Hinga and duly adopted, read the second time by title and referred to the Committee on Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____ 197____, at _____ o'clock _____ P.M., E.S.T.)

Date: 12-28-71

Thad. G. Bonachron
CITY CLERK

Read the third time in full and on motion by Moses seconded by Hinga and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
Burns	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hinga	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kruse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nuckols	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Moses	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmidt, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schmidt, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Steir	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talarico	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date 1-11-72

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. 5-04-72 on the 11th day of January, 1972.

ATTEST:

(SEAL)

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of _____, 1972 at the hour of 8:30 o'clock 4 P.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 12th day of January, 1972, at the hour of 2:34 o'clock P.M., E.S.T.

John H. Peters
MAYOR

Bill No. S-71-12-22

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving Agreement with MACKE DEVELOPMENT CORPORATION for construction of
sanitary sewer for Fox Point Apartments area,

have had said Ordinance under consideration and beg leave to report back to the Common

Council that said Ordinance DO PASS PASS.

WINFIELD C. MOSES, Chairman

WILLIAM T. HINGA, Vice-Chairman

SAMUEL J. TALARICO

EUGENE KRAUS

DONALD SCHMIDT

Winfield C. Moses
William T. Hinga
Samuel J. Talarico
Eugene Kraus
D Schmidt

CONCURRED IN

DATE 11-7 CHARLES W. WESTERMAN, CITY CLERK